

ORDINANCE NO. 2020-08

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, REZONING A 57.31 ACRE PARCEL OF LAND GENERALLY LOCATED WEST OF INTERSTATE 95, NEAR THE INTERSECTION OF ST. JOHNS HERITAGE PARKWAY AND INTERSTATE 95 OVERPASS TO ELLIS ROAD, AND AS MORE FULLY DESCRIBED HEREIN, FROM R-2 (ONE-, TWO-, AND MULTI-FAMILY DWELLING) TO GTWY-I (GATEWAY INTERCHANGE DISTRICT); PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the City Council of the City of West Melbourne, Brevard County, Florida, that:

Section 1.

The Planning Director is hereby directed to change the Official Zoning Map of the City as referenced in Section 98-66 of the Code of Ordinances to show the zoning change set forth in Section 2 of this Ordinance.

Section 2.

The property described more particularly as follows is hereby rezoned from R-2 (One-, Two-, and Multi-family Dwelling) to GTWY-I (Gateway Interchange District):

A 57.31 acre portion of Parcel Identification Number 27-36-34-00-2

ST. JOHNS HERITAGE LAKES REMAINDER TRACT

A PARCEL OF LAND IN SECTION 34, TOWNSHIP 27 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER SECTION CORNER OF SAID SECTION 34 AND RUN N89°26'29"E, ALONG THE NORTH LINE OF SAID SECTION 34, A DISTANCE OF 1950.89 FEET TO THE WEST RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 95; THENCE S00°01'54"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 331.11 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE S00°01'54"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 1510.23 FEET; THENCE CONTINUE S00°01'54"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 262.22 FEET; THENCE S89°58'06"W A DISTANCE OF 909.57 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 81.00 FEET A CENTRAL ANGLE OF 78°07'08", A CHORD LENGTH OF 102.08 FEET AND A CHORD BEARING OF S50°54'32"W), A DISTANCE OF 110.44 FEET TO THE END OF SAID CURVE; THENCE S11°50'58"W, A DISTANCE OF 40.00 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 435.00 FEET A CENTRAL ANGLE OF 38°56'09", A CHORD LENGTH OF 289.95 FEET AND A CHORD BEARING OF N78°35'06"W), A DISTANCE OF 295.61 FEET TO A POINT OF REVERE CURVATURE; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 100.00 FEET A CENTRAL ANGLE OF 74°05'26", A CHORD LENGTH OF 120.49 FEET AND A CHORD BEARING OF S83°50'16"W), A DISTANCE OF 129.31 FEET TO A POINT OF

REVERSE CURVATURE; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 160.00 FEET, A CENTRAL ANGLE OF 42°44'46", A CHORD LENGTH OF 116.62 FEET AND A CHORD BEARING OF S68°09'56"W), A DISTANCE OF 119.37 FEET TO THE END OF SAID CURVE; THENCE S89°32'19"W A DISTANCE OF 134.32 FEET TO A CUSP OF CURVE; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 97°07'04", A CHORD LENGTH OF 37.48 FEET AND A CHORD BEARING OF N41°54'09"W), A DISTANCE OF 42.38 FEET TO A POINT OF COMPOUND CURVATURE; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 47°32'23", A CHORD LENGTH OF 100.77 FEET AND A CHORD BEARING OF S30°25'35"W), A DISTANCE OF 103.72 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 54°39'27", A CHORD LENGTH OF 114.77 FEET AND A CHORD BEARING OF S26°52'03"W), A DISTANCE OF 119.24 FEET TO THE END OF SAID CURVE; THENCE S00°27'41"E, A DISTANCE OF 60.00 FEET; THENCE S89°53'13"W, A DISTANCE OF 14.84 FEET TO THE EAST RIGHT-OF-WAY LINE OF ST JOHNS HERITAGE PARKWAY ACCORDING TO THE CONSTRUCTION PLANS FOR BREVARD COUNTY, FLORIDA FINANCIAL PROJECT NUMBER: 428346-4-54-01, DATED AUGUST, 2016; THENCE N00°06'47"W, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 835.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1327.00 FEET, A CENTRAL ANGLE OF 47°48'06", A CHORD BEARING OF N23°47'16"E AND A CHORD LENGTH OF 1075.28 FEET), A DISTANCE OF 1107.11 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE SOUTH; THENCE S42°19'19"E, ALONG SAID NON-TANGENT LINE, A DISTANCE OF 75.22 FEET; THENCE N90°00'00"E A DISTANCE OF 949.50 FEET; THENCE N00°02'46"W A DISTANCE OF 347.29 FEET; THENCE N81°58'15"E A DISTANCE OF 305.92 FEET TO THE POINT OF BEGINNING. CONTAINING 56.42 ACRES, MORE OR LESS.

SUBJECT TO THE FOLLOWING EASEMENTS AND AGREEMENTS:

THAT CERTAIN 50 FOOT WIDE FLORIDA GAS TRANSMISSION COMPANY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 998, PAGE 279; THAT CERTAIN 60 FOOT WIDE FLORIDA POWER & LIGHT COMPANY RIGHT-OF-WAY AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 684, PAGE 773; THAT CERTAIN 110 FOOT WIDE FLORIDA POWER & LIGHT COMPANY RIGHT-OF-WAY AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 53, PAGE 565; THAT CERTAIN 30 FOOT WIDE FLORIDA GAS TRANSMISSION COMPANY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 526, PAGE 9; AND THAT CERTAIN STORM SEWER AND MAINTENANCE ROAD EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 5663, PAGE 7542. ALL IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

TOGETHER WITH:

ST. JOHNS HERITAGE LAKES TRIANGLE TRACT

A PARCEL OF LAND IN SECTION 34, TOWNSHIP 27 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER SECTION CORNER OF SAID SECTION 34 AND RUN N89°26'29"E, ALONG THE NORTH LINE OF SAID SECTION 34, A DISTANCE OF 648.77 FEET; THENCE S00°00'00"E A DISTANCE OF 151.56 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE S00°00'00"E A DISTANCE OF 230.25 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE TO THE RIGHT, (SAID POINT ALSO BEING A POINT ON THE CURVED NORTHERLY RIGHT-OF-WAY LINE OF THE PROPOSED ST. JOHNS HERITAGE PARKWAY AS SHOWN ON SHEET 10 OF 20 OF THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SR 9 (I-95) INTERCHANGE AT ELLIS ROAD/ST. JOHNS HERITAGE PARKWAY, SECTION 70220, FP No 426905-3, APPROVED 10/07/16); THENCE ALONG THE ARC OF SAID CURVED NORTHERLY RIGHT-OF-WAY LINE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1537.00 FEET, A CENTRAL ANGLE OF 08°21'31", A CHORD BEARING OF N58°44'46"E AND A CHORD LENGTH OF 224.03 FEET), A DISTANCE OF 224.23 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE NORTHWEST; THENCE N27°03'53"W, ALONG SAID NON-TANGENT LINE AND CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 46.86 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE AND CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, (SAID CURVE BEING CURVED CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1582.00 FEET, A CENTRAL ANGLE OF 08°21'07", A CHORD BEARING OF N67°06'41"E AND A CHORD LENGTH OF 230.40), A DISTANCE OF 230.61 FEET TO AN INTERSECTION WITH A NON-TANGENT LINE TO THE WEST; THENCE S87°24'21"W, ALONG SAID NON-TANGENT LINE, A DISTANCE OF 382.85 FEET TO THE POINT OF BEGINNING. CONTAINING 0.89 ACRES, MORE OR LESS.

SUBJECT TO THE CERTAIN DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 5663, PAGE 7542, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

Section 3.

That this Ordinance shall become effective simultaneously with the effectiveness of Ordinance No. 2020-07, amending the land use of the subject property.

PASSED AND ADOPTED by the City Council of the City of West Melbourne, Brevard County, Florida, this 15th day of December, 2020.

ATTEST:

1ST READING: September 24, 2020
2nd READING: December 15, 2020